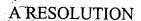
## CITY COUNCIL ATLANTA, GEORGIA



BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

02-2 -2159

# A RESOLUTION AUTHORIZING THE SETTLEMENT OF THE CLAIM OF GRADY L. GAMBLE IN THE AMOUNT OF \$2,134.00 AGAINST THE CITY OF ATLANTA

WHEREAS, GRADY L. GAMBLE has filed a claim against the City of Atlanta seeking damages arising out of a sewer backup located at 1587 Van Epps Street, SE; and

WHEREAS, property owned by GRADY L. GAMBLE has been substantially damaged as a result of the City's failure to properly secure the work site of an excavation project of a sanitary sewer mainline; and

WHEREAS, the City of Atlanta has made an attempt, however unsuccessful, to abate said nuisance; and

WHEREAS, inasmuch as the facts disclosed indicate said claim is not based on a claim of negligence, but is a nuisance which is not subject to a defense of sovereign immunity under the laws of the State of Georgia; and

WHEREAS, the claimant has asserted damages in the amount of \$2,134.00 and has agreed to accept this sum in full and complete satisfaction and settlement of his claim against the City of Atlanta; and

WHEREAS, the City Attorney has recommended that the claim of GRADY L. GAMBLE, be settled for the sum of \$2,134.00.

**THEREFORE, BE IT RESOLVED** that the Council of the City of Atlanta, Georgia that \$2,134.00 be paid by the City of Atlanta to GRADY L. GAMBLE, in satisfaction of any and all claims he may have stemming from damages sustained to his property on or before May 4, 2002, at 1587 Van Epps Street, SE, and that the City Attorney prepare appropriate releases.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to pay the above mentioned sum from account number 2J01/529017/T31001.

A true copy,

Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JAN 06, 2003

JAN 15, 2003

### Atlanta City Council

## Regular Session

CONSENT I Pgs. 1-7; Except 02-0-1853; 02-R-1770 02-R-2007; 02-R-2056 ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y Smith Y Archibong Y Moore NV Mitchell Y Starnes Y Fauver Y Martin Y Norwood NV Young Y Shook Y Maddox NV Willis Y Winslow NV Muller Y Boazman NV Woolard

#### 1/06/03 Council Meeting ITEMS ADOPTED ON CONSENT ITEMS ADVERSED ON CONSENT **AGENDA AGENDA** 1. 02-O-2008 24. 02-R-2142 2. 02-O-2071 25. 02-R-2143 3. 02-O-2175 26. 02-R-2144 4. 02-O-2170 27. 02-R-2145 5. 02-O-2171 28. 02-R-2146 6. 02-O-2024 29. 02-R-2147 7. 02-O-2172 30. 02-R-2148 8. 02-R-2130 31. 02-R-2149 9. 02-R-2157 32. 02-R-2150 10. 02-R-2158 33. 02-R-2151 11. 02-R-2159 34. 02-R-2152 12. 02-R-2186 35. 02-R-2153 13. 02-R-1964 36. 02-R-2154 14. 02-R-1965 37. 02-R-2155 15. 02-R-2067 38. 02-R-2156 16. 02-R-2134 17. 02-R-2135 18. 02-R-2136 19.02-R-2137 20. 02-R-2138 21. 02-R-2139 22. 02-R-2140 23. 02-R-2141

FINAL COUNCIL ACTION	□2nd □1st & 2nd □3rd		☑Consent □V Vote ☑RC Vote	CERTIFIED		JAN 0 6 2003	THE STATE OF THE S				JAN 0 8 2003 U	MUNICIPAL CLIPTIC		MAYOR'S ACTION			JAN 15 2003	WITHOUT SIGNATURE BY OPERATION OF LAW
First Reading			Committee	Date	Chair	Action: Fav, Adv, Hold (see rev. side)	Other: Members			Refer To	Committee		Chair	Action: Fav, Adv, Hold (see rev. side)	Other:	Members		
	Committee Date	Chair Referred to	Committee	Date Date	Charle	Action: (Fay, Adv, Hold (see rev. side)	Other:	H SC		Refer To	Committee	Date	Chair	Action: Fav, Adv, Hold (see rev. side)	Other:	Members		
	02- X-2159	(Do Not Write Above This Line)	A RESOLUTION	BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE		A RESOLUTION AUTHORIZING THE SETTLEMENT OF THE	CLAIM OF GRADY L. GAMBLE IN THE AMOUNT OF \$2,134.00 AGAINST THE CITY OF	ATLANTA ARISING FROM A SEWER BACKUP.	ADOPTED BY	By: Boalmer Ruth 106 Reliege	Rosalind Rubens Newell  Deputy City AttornegOUNCIL		CONSENT REFER  REGULAR REPORT REFER	U ADVERTISE & HEFER U 1st ADOPT 2nd READ & REFER U PERSONAL PAPER REFER	Date Referred	Referred To:	Date Referred	Referred To: